

REMARKS

The following Remarks are in response to the Office action mailed July 17, 2009. Claims 1-11 remain pending in the application. Applicant appreciates Examiner's careful review of the present application.

Applicant respectfully submits that all the hitherto pending claims are in condition for allowance. Detailed reasons for allowance are as follows:

Response to Arguments

On page 2 of the current Office action, Examiner states that Zeif teaches a performance assessing system involving products machining collecting schedule results from the product machining scheduling system (column 12, lines 54-60), and further states that Zeif teaches the real time data in a products machining document (column 11, lines 54-56). Applicants respectfully disagree with the statements above for the following reasons:

Referring to lines 54-56 of column 11, Zeif teaches that an automated collected data table 245 may be, for example, a data table, array, etc., that stores a real time data as it is received by a PC 240, and the automated collected data table 245 may be stored in a temporary memory of the PC 240. Zeif teaches that a schedule shift time column 838 records the amount of time on a particular shift that the equipment is scheduled for operation, and a production run time column 839 records the amount of time the equipment is actually operated during the shift (column 12, lines 54-60). According to the teachings of Zeif, Applicants submit that the performance assessing table of the present application is quite different and patentable over the automated collected data table of Zeif. Referring to claim 1 of the present application, each product's machining status, actual starting time, and actual finishing time are stored in the products machining documents, and not in the performance assessing table. That is, Zeif's automated collected data table cannot be two different things (i.e., the products machining document and the performance assessing table, as claimed in claims 1 and 4) at the same time. Accordingly, Applicant submits that the

claimed “*products machining documents*” of claim 1 or anything resembling such is not mentioned or disclosed by Zeif. According to claim 1 of the present application, a starting time record and a finishing time record for each product are generated according to the products machining documents, which is not mentioned or disclosed by Zeif at all. Accordingly, the products machining documents are key to generate the starting time record and the finishing time record for each product. For at least the above reasons, Applicant submits that the products machining documents of the present application are distinctly and patentably from the automated collected data table disclosed by Zeif.

Claim Rejections Under 35 U.S.C. 103

Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zeif (US Pat. No. 7209859) in view of Park et al (US Pub. No. 2003/0004969, hereinafter referred to as “Park”).

Claims 1-3

Claim 1 recites in part:

“the database stores *a plurality of products machining documents* and a plurality of *performance assessing tables of employees*; and

the application server comprises:

a machining status tracing module for *collecting daily schedule results from the product machining scheduling system, storing the schedule results in a corresponding products machining document, and storing each product’s machining status, actual starting time and actual finishing time in the products machining document*; [and]

a performance assessing module for *generating a starting time record and a finishing time record for each product according to the products machining documents, ...*” (emphasis added).

Applicant submits that any combination of Zeif and Park, taken alone or in combination, does not teach or otherwise suggest the invention having the above-highlighted features as set forth in claim 1.

Zeif teaches that an automated collected data table 245 may be, for example, a data table, array, etc., that stores a real time data as it is received by a PC 240, and the automated collected data table 245 may be stored in a temporary memory of the PC 240 (column 11, lines 54-56). Zeif further teaches that a schedule shift time column 838 records the amount of time on a particular shift that the equipment is scheduled for operation, and a production run time column 839 records the amount of time the equipment is actually operated during the shift (column 12, lines 54-60). In addition, Zeif teaches the information of the data table includes date, active time, inactive time, total time and employee's efficiency (column 29, lines 49-61).

According to the above-stated teachings of Zeif, Applicant submits that the presented claimed "product machining scheduling system" of claim 1 is not mentioned or suggested by Zeif at all. Particularly, there is no disclosure or teaching in relation to the feature of "*collecting daily schedule results from the product machining scheduling system*" in Zeif. Accordingly, Applicant submits that Zeif fails to disclose or teach the feature of "a machining status tracing module for *collecting daily schedule results from the product machining scheduling system, ...*" as recited in claim 1 of the present application. In addition, Applicant submits that Park does not teach or suggest the above-highlighted feature either. Furthermore, any combination of Zeif and Park does not teach or suggest the above-highlighted feature.

Furthermore, the data table of Zeif is used to store real time data, such as the date, active time, the inactive time, the total time and the employee's efficiency. That is, in Zeif, the real time data are stored in the data table instead of a special document. Zeif's data table cannot be two different things at the same time. However, the claimed "each product's data" in claim 1 which includes such things as machining status, actual starting time, and actual finishing time are stored in various special documents (i.e., products machining documents), and not in a data table (i.e., a performance assessing table). Each of the products machining documents is quite different from the performance assessing table. Applicant submits that the claimed "products machining documents" of claim 1 is

not mentioned or disclosed by Zeif. Accordingly, Applicant submits that the products machining documents of claim 1 are distinctly and patentably different from the data table disclosed by Zeif.

In addition, Examiner states on page 3 of the Office action that Zeif does not teach the feature of “recording product’s start time and finish time.” However, Examiner further asserts that Park teaches the feature of “storing each product’s machining status, actual starting time and actual finishing time in the products machining document (paragraph 0015),” and teach the feature of “generating a starting time record and a finishing time record for each product according to the products machining documents (paragraph 0015).” Applicant respectfully disagrees and traverses that Park teaches or suggests the above-stated features, for the following reasons. Park teaches a material and process data application system used in manufacturing a semiconductor device, and the process data preferably include data values, which specify a final product including a starting and ending time of the manufacturing process (paragraph 0015). In Park, the process data application system can record the starting and ending time of the manufacturing process. However, Park’s system does not teach or suggest that the starting and ending time of the manufacturing process are generated by a special document (e.g., the products machining document of claim 1). In particular, there is no disclosure or teaching in relation to the “products machining documents” in paragraph 0015, even in the whole disclosure of Park. Accordingly, Applicant submits that Park fails to disclose or teach the feature of “*generating a starting time record and a finishing time record for each product according to the products machining documents*”, and the feature of “*generating a starting time record and a finishing time record for each product according to the products machining documents*,” as recited in claim 1 of the present application. In addition, Applicant submits any combination of Zeif and Park does not teach or suggest any of the above-highlighted features.

In conclusion, Applicant submits that none of Zeif and Park, taken alone or in combination, teaches or otherwise suggests the invention having the above-highlighted

features as set forth in claim 1. Accordingly, Applicant asserts that claim 1 is unobvious and patentable under 35 U.S.C. §103(a) over Zeif in view of Park. Reconsideration and removal of the rejection and allowance of claim 1 are requested.

Claims 2-3 depend from independent claim 1, and thus include all of the limitations of independent claim 1. Therefore, Applicant believes that claims 2-3 should also be allowable.

Claims 4-11

Claim 4 recites in part:

“collecting daily schedule results from a product machining scheduling system and storing the daily schedule results in a products machining document that is stored in a database by using the machining status tracing module;

storing actual starting time, actual finishing time, and machining status of each of products in the products machining document by using the machining status tracing module; [and]

generating a starting time record and a finishing time record according to the products machining document by using the performance assessing module” (emphasis added).

Claim 4 is a method claim corresponding to the performance assessing system of claim 1. Referring to and incorporating herein the above-asserted reasons regarding the patentability of claim 1, Applicant submits that any combination of Zeif and Park, taken alone or in combination, does not teach or otherwise suggest the invention having the above-highlighted features as set forth in claim 4. Accordingly, Applicant asserts that claim 4 is unobvious and patentable under 35 U.S.C. §103(a) over Zeif in view of Park. Reconsideration and removal of the rejection and allowance of claim 4 are requested.

Claims 5-11 depend from independent claim 4, and thus include all of the limitations of independent claim 4. Therefore, Applicant believes that claims 5-11 should also be allowable.

CONCLUSION

Applicant submits that the foregoing Response places this application in condition for allowance. If Examiner believes that there are any issues that can be resolved by a telephone conference, or that there are any informalities that can be corrected by an Examiner's amendment, please call the undersigned at 909.978.6583.

Respectfully submitted,
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